

SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Nebraska) Docket No. B-1909
Public Service Commission, on)
its own motion, to require Bus)
at the Yard, d/b/a Luxury) ORDER TO DISMISS SHOW CAUSE,
Limousine, Lincoln, to show) IN PART
cause why the Commission)
should not revoke its)
Certificate of Public)
Convenience and Necessity.) ENTERED: December 8, 2020

BY THE COMMISSION:

On September 29, 2020, the Nebraska Public Service Commission ("Commission") entered an Order requiring Bus at the Yard, LLC, d/b/a Luxury Limousine ("Luxury Limousine"), Lincoln, to appear before the Commission and show cause as to why its Certificate of Public Convenience and Necessity should not be suspended, modified, or revoked in whole or in part, or why administrative fines should not be assessed for failure to provide proof of current insurance in accordance with Commission Rule 006. Hearing on this matter was scheduled for October 13, 2020.

The Commission received a Form K Insurance Cancellation Notice on March 23, 2020 from Columbia Insurance Company, showing that Luxury Limousine's liability insurance was scheduled to cancel April 23, 2020. On March 23, 2020, the Commission sent a letter to Luxury Limousine notifying the company of the cancellation notice and that Luxury Limousine would be not in compliance with Commission rules and regulations if the Commission did not receive proof of insurance coverage.

On October 5, 2020, the Commission received proof of current insurance via a Form "E" Uniform Liability Certificate of Insurance filed by Columbia Insurance Company. However, due to various concerns regarding the managerial fitness displayed by Luxury Limousine, the Commission determined a hearing on this matter was still necessary.

Hearing on this docket was held on October 13, 2020 at the Commission Hearing Room in Lincoln, Nebraska as well as via electronic means due the public health directives set forth in response to COVID-19. Ms. Jamie Reyes and Mr. Dillon Keiffer-Johnson appearing on behalf of the Commission. No other Attorneys entered an appearance.

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E V I D E N C E

Testimony

Ms. Jamie Reyes, Director of the Motor Transportation Department, made an opening statement explaining the purpose of the hearing. She explained that Luxury Limousine did not have the proper liability insurance in place for their company for a period of time, but that the insurance issue has since been rectified.¹ However, the hearing was still needed in order to give the carrier the opportunity to appear in front of the Commission to discuss the insurance, compliance, and the management structure of the company.²

Testimony was provided by Ms. Lauren Marsh on behalf of Luxury Limousine. Luxury Limousine's principal place of business is 2300 Kimarra Place, Lincoln, Nebraska.³ Ms. Marsh began by stating that she shares ownership of the company with Mr. Brodrick Nickens and that other than Mr. Nickens and herself no other person is involved in the management of Luxury Limousine.⁴ Ms. Marsh testified that she has been involved with Luxury Limousine since her father purchased the company in 2015, but that she has only shared ownership interest since 2018 when her father stepped down.⁵ Describing her role and obligations with Luxury Limousine, Ms. Marsh explained that she provided the financial backing for the company while Mr. Nickens oversaw the management of the company as the owner-operator.⁶ She further explained that Mr. Nickens has recently abandoned his management obligations, unbeknownst to her, and now she is attempting to fix any compliance issues that may have resulted from Mr. Nickens deserting his duties.⁷

Later, Ms. Marsh provided additional details regarding the dichotomy of the management structure between herself and Mr. Nickens. Ms. Marsh stated that currently the management roles are quite different than they were originally. Reiterating that Mr. Nickens was the owner-operator and Ms. Marsh provided the financial backing, Ms. Marsh stated that Mr. Nickens oversaw

¹ *Hrg. Transcr.* 7:4 – 7:8 (October 13, 2020). See Also Commission Exhibit Number 5.

² *Id.* 7:8 – 7:14.

³ *Id.* 8:24 – 8:25.

⁴ *Id.* 9:1 – 9:7 and 12:16 – 12:18.

⁵ *Id.* 9:11 – 9:16.

⁶ *Id.* 9:17 – 9:21.

⁷ *Id.* 9:21 – 9:25.

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company compliance with all Department of Transportation ("DOT") requirements as well as ensuring the company had everything properly filed with the Commission.⁸ In later testimony, Ms. Marsh stated that she believed Mr. Nickens was the contact on file with the Commission until she received a communication from the Commission stating that the contact was her father, Eric Marsh, and herself. Mr. Nickens was not listed as an owner.⁹ She explained that Mr. Nickens more or less began to abandon his responsibilities in February 2020.¹⁰ In later testimony, Ms. Marsh confirmed that there were no management safeguards in place to ensure daily job duties would not go unnoticed if herself nor Mr. Nickens could fulfil them.¹¹ Ms. Marsh testified that she has been trying to deal with issues as they appear and is now fully in charge of the management of the company, but is still learning as she goes.¹²

Responding to questions from Commission staff regarding the purpose the hearing, Ms. Marsh testified that she understood the lapse of Luxury Limousine's insurance as the reason for this hearing. She explained the company attempted to cancel its insurance coverage in March knowing that it would not be providing service due to the COVID-19 pandemic and that without any income being generated, some overhead costs would have to be eliminated.¹³ Ms. Marsh stated that the company was unable to cancel its insurance in March and so its insurance coverage lapsed in April. She explained that she believed the coverage had since been reinstated, and when she became aware that it had not been reinstated, canceled all previously scheduled services.¹⁴ Later on, Ms. Marsh reiterated this belief that the insurance automatically reinstated when answering questions directed at the lengthy delay between the cancellation of coverage in April and the Commission's receipt of a new Form E in October.¹⁵ Ms. Marsh testified she was aware that insurance was required if a company was providing service, but she did not understand why insurance would be required if the company was closed for business.¹⁶ She noted that she was not aware of the

⁸ *Id.* 12:19 - 13:5 and

⁹ *Id.* 13:16 - 13:24.

¹⁰ *Id.* 13:5 - 13:6.

¹¹ *Id.* 16:3 - 16:8.

¹² *Id.* 13:8 - 13:11.

¹³ *Id.* 10:1 - 10:7.

¹⁴ *Id.* 10:7 - 10:12 and 12:2 - 12:5.

¹⁵ *Id.* 11:18 - 12:2.

¹⁶ *Id.* 10:13 - 10:17.

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requirement for a carrier to notify the Commission if they would not be operating or suspending their services.¹⁷

Ms. Marsh testified that she works with a Lincoln-based company, UNICO, to get Luxury Limousine's insurance, and she is unsure who provides the coverage but believes it is provided by National Indemnity Co. She commented that she would assume this would have been her insurance provider since she took over ownership of the company.¹⁸ Ms. Marsh also testified that she was aware that Luxury Limousine has had insurance cancellation notices in the past, but does not believe coverage has ever lapsed prior to April of this year.¹⁹ Responding to questions from Commission staff regarding plans the company has in place to prevent lapses of coverage moving forward, Ms. Marsh stated that the company would better manage costs and reduce overhead if necessary, including selling vehicles if necessary.²⁰

Commission staff asked Ms. Marsh to detail the steps she has taken to ensure Luxury Limousine was in compliance with Commission rules and regulations. First and foremost, Ms. Marsh stated that she had obtained the proper insurance. Furthermore, she had been working with the company's most experienced drivers to ascertain which vehicles needed to be DOT compliant. However, she testified that she had yet to reach out directly to the Commission.²¹ Ms. Marsh did affirm that moving forward she would be the contact for any Commission outreach efforts.²² Ms. Marsh stated that there was not a structure in place to ensure Commission outreach attempts went unnoticed when Mr. Nickens was tasked with ensuring Commission compliance. She stated that Mr. Nickens had changed the company's address so that he was receiving any mail and that she did not have access to the mailbox at the Kimarra Place address. Ms. Marsh testified that she has since updated Luxury Limousine's business address. However, she was unsure if the business telephone number had also been updated.²³

¹⁷ *Id.* 10:18 - 10:22 and 13:6 - 13:8.

¹⁸ *Id.* 10:23 - 11:7. See also Commission Exhibit 5 showing the Columbia Insurance Company issued the current insurance policy to Bus at the Yard d/b/a Luxury Limousine.

¹⁹ *Id.* 11:12 - 11:17.

²⁰ *Id.* 12:6 - 12:11.

²¹ *Id.* 13:25 - 14:15.

²² *Id.* 14:16 - 14:19.

²³ *Id.* 14:24 - 15:21.

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Responding to follow-up questions from Ms. Reyes regarding Mr. Nickens role with the company, Ms. Marsh indicated that Mr. Nickens is still a fifty-percent (50%) owner, but is no longer involved in the daily operations of the company.²⁴ Ms. Marsh also responded to a question regarding her understanding of the Commission's requirement to file a transfer application in order to ensure the Commission's knowledge of any ownership changes. She stated that she was not aware of that requirement, and that all the business information remained unchanged when the company changed ownership from her father to herself and Mr. Nickens.²⁵ Ms. Marsh further testified that Mr. Nickens will remain co-owner of Luxury Limousine.²⁶

In response to Commissioner questions, Ms. Marsh stated that Luxury Limousine is a Nebraska Corporation owned by Broderick Nicens and Stavery, LLC. Ms. Marsh clarified that she owns the LLC outright.²⁷ Commissioner Ridder then asked how many trips Luxury Limousine completed without insurance between the April 2020 cancellation and when the new policy went into effect. Ms. Marsh stated that should could not state for certain the amount, but that it was not very many because they because a lot of the company's previously scheduled trips had to be rescheduled due to COVID-19. Commissioner Ridder then asked that a late-filed exhibit be filed after the hearing detailing those trips.²⁸ Regarding her belief that the company's insurance would reinstate, Ms. Marsh explained that she thought the lapse in April was a temporary hold and that the insurance only canceled for a period of time. She expected the insurance to reinstate in May.²⁹ Ms. Marsh further stated that Luxury Limousine started performing trips again in August.³⁰

Commissioner Watermeier then asked how the day-to-day operations will be handled going forward with Mr. Nickens no longer fulfilling those obligations. Ms. Marsh stated that she hopes that she could hire someone to take over those management duties. She testified that she will oversee the company to ensure something like this does not happen going forward. Ms. Marsh explained that the Company has a history of having a lot of bad managers. She stated that she owns and manages Longwell's

²⁴ *Id.* 16:11 - 16:15.

²⁵ *Id.* 16:22 - 17:7.

²⁶ *Id.* 17:8 - 17:10.

²⁷ *Id.* 17:20 - 18:10.

²⁸ *Id.* 19:15 - 20:3.

²⁹ *Id.* 20:4 - 20:16

³⁰ *Id.* 20:17 - 20:22.

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and that she "runs that bar to a 'T.'"³¹ Commissioner Watermeier explained that the long history of compliance issues the Commission has had with Bus at the Yard made this hearing necessary, even after receiving the most recent Form E. He further explained the fitness concerns the Commission has regarding Bus at the Yard and how that concern is considered when ascertaining the Company's ability to safely provide service to the community. Commissioner Watermeier further commented that his main concern is that the Commission sees a change in the management of the company going forward.³² Ms. Marsh responded to Commissioner Watermeier by request a meeting with Director Reyes in order to regain good standing with the Commission. Director Reyes affirmed that such a meeting would be possible.³³

Responding to further questions from Commissioners, Ms. Marsh stated that the company has a 14 passenger Hummer limousine, a 14 passenger Chevy Suburban limousine that the company no longer runs, and four buses: a 32 passenger, a 42 passenger and two additional buses that are either 45 passenger or 50 passenger.³⁴ Commissioner Schram explained to Ms. Marsh that the Commission takes very seriously insurance coverage to the public. He explained that especially with the size of the vehicles Bus at the Yard is operating, the insurance is there to protect not only the general public but the company as well. Commissioner Schram indicated that such insurance concerns will be monitored very closely and that he hopes Ms. Marsh recognizes the severity of issues regarding insurance. Which she affirmed.³⁵

Commission staff then asked a series of follow up questions. Director Reyes inquired into Ms. Marsh's familiarity with current PSC Docket MCC-3196.02 and the Order issued subsequent to hearing in that docket. Ms. Marsh stated that she did not receive that Order but did drop off a check for the administrative fine levied by the Commission in that Order. Director Reyes noted the receipt of payment for the administrative fine levied in PSC Docket MCC-3196.02.³⁶ Ms. Marsh indicated that she was unaware that Luxury Limousine was still subject to the cease and desist order pursuant the June 30, 2020

³¹ *Id.* 21:5 - 22:7. As a note, Longwell's is a bar located in the Haymarket in Lincoln, Nebraska.

³² *Id.* 22:13 - 23:1.

³³ *Id.* 23:2 - 23:22.

³⁴ *Id.* 24:17 - 24:25.

³⁵ *Id.* 25:2 - 25:13.

³⁶ *Id.* 26:3 - 26:24.

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order in MCC-3196.02. She thought the cease and desist order was not in place until she received the cease and desist for lack of insurance.³⁷ Ms. Marsh then stated that she is aware that Luxury Limousine cannot operate until that cease and desist is lifted by the Commission and as such she has cancelled all previously scheduled services.³⁸ Ms. Marsh concluded her testimony stating that she will be in contact with Director Reyes to regain good standing with the Commission.³⁹

Exhibits

Commission staff offered Exhibits 1 through 5, which were received into evidence. On November 5, 2020, the Commission received Late-Filed Exhibit Number 6. Exhibit 6 was filed electronically as a Microsoft Excel Spreadsheet listing the "Date," "Pick-up" and "Drop-off" times, "Vehicle," and "Driver," for thirty-nine (39) different trips that were completed by Luxury Limousine between May 16, 2020 and September 19, 2020.

O P I N I O N S A N D F I N D I N G S

Bus at the Yard d/b/a Luxury Limousine ("Luxury Limousine") is a common carrier regulated by the Commission pursuant to Neb. Rev. Stat. §§ 75-101 et. Seq. (2018), § 75-301 et. Seq. (2018), and Title 291, NAC Ch. 3 of Commission Rules and Regulations. The purpose of the show cause proceeding was to address Luxury Limousine's lack of insurance for an extended period. Prior to the hearing, the Commission received the necessary notice of insurance coverage for Luxury Limousine. Nevertheless, the Commission determined a hearing was still necessary to address fitness concerns regarding the carrier in question. Based on the evidence presented at the hearing, the Commission's concerns as described below.

Bus at the Yard d/b/a Luxury Limousine's Insurance Coverage

Luxury Limousine failed to maintain the prescribed levels of insurance required by the Commission between April 23, 2020 until at least November 5, 2020. All regulated motor carriers must comply with Commission's Rules regarding insurance coverage found in 291 NAC Ch. 3 § 006. Specifically, regulated motor carriers must hold current motor carrier insurance with minimum

³⁷ *Id.* 26:25 - 27:10.

³⁸ *Id.* 27:11 - 27:15.

³⁹ *Id.* 28:22 - 28:25.

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amounts of coverage and have on file the proper form prescribed by the Commission verifying such coverage.⁴⁰ On March 23, 2020, the Commission was notified by Columbia Insurance Company that Luxury Limousine's coverage would no longer be in force beginning on April 23, 2020. On November 5, 2020, the Commission received a new Form "E" for Luxury Limousine indicating the company had the proper insurance in place to meet the requirements set forth in Commission Rule 006. The Commission's receipt of the new Form "E" brought Luxury Limousine into compliance with all applicable Commission Rules regarding insurance. However, the Commission is concerned about its recent receipt of a new Form "K" stating that Luxury Limousine's insurance will again be cancelled if no further action is taken by December 24, 2020.

In consideration of these factors, the Commission finds that the show cause against Bus at the Yard d/b/a Luxury Limousine should be dismissed, in part, as it relates to the carrier's lack of insurance coverage. The Commission also finds that if the Commission does not receive notice of liability insurance by December 24, 2020, Bus at the Yard d/b/a Luxury Limousine must cease and desist any and all transportation services until a new insurance policy is in force. Failure to have proper insurance on file with the Commission may result in civil penalties pursuant to Neb. Rev. Stat. § 75-156. The Commission still has concerns regarding the carrier's operations during the period of lapse insurance coverage. The Commission reserves the right to address any potential rule violations that were committed during that time in a future docket.

The Commission's expectation of fitness

While Luxury Limousine currently is in compliance with all Commission rules regarding insurance coverage, the initial lapse of insurance coverage in conjunction with other ongoing issues as described below has raised questions regarding the carrier's overall fitness.

Applications for common carrier authority are governed by Neb. Rev. Stat. § 75-311(1) (Cum. Supp. 2016), which provides, in part:

A certificate shall be issued to any qualified Applicant authorizing the whole or any part of the

⁴⁰ 291 NAC Ch. 3 §§ 006.01 and 006.05.

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operations covered by the application if it is found after notice and hearing that (a) the Applicant is fit, willing, and able properly to perform the service proposed . . . and (b) the proposed service, to the extent to be authorized by the certificate, whether regular or irregular, passenger or household goods, is or will be required by the present or future public convenience and necessity. Otherwise, the application should be denied.

The Commission must apply this two-part test in order to grant an application for common carrier authority. The first part of the test requires an applicant to prove that it is fit, willing and able to provide the proposed service. When determining fitness, the Commission examines an Applicant's financial capabilities, considers any prior issues such as complaints or infractions, and makes a determination of an Applicant's managerial fitness.⁴¹ Embedded in this initial determination of an applicant's fitness used to grant an authority is the Commission's expectation that a carrier maintain a certain level of fitness throughout its time as a certificate holder. This is evidenced by the following language in Luxury Limousine's Certificate of Public Convenience and Necessity and contained in each Certificate of Public Convenience and Necessity issued by the Commission:

IT IS CERTIFIED, that pursuant to the Commission's Order the said carrier be, and it is hereby, issued this Certificate of Public Convenience and Necessity as evidence of the authority of the holder to engage in transportation in Nebraska intrastate commerce as a common carrier by motor vehicle; subject, however, to such terms, conditions and limitations as are now, or may hereafter be, attached to the exercise of the privileges granted to the said carrier.

The Commission holds the expectation that Certificated carriers, like Luxury Limousine, provide the highest quality of service to

⁴¹ See Application No. B-1535, Supp. 1 *In the Matter of the Application of Guard-Rite Security Services, LLC, Norfolk, seeking to extend its authority as a common carrier of passengers in open class service by sedans and vans between points in Nebraska over irregular routes. To include the transportation of Health and Human Services clientele and their subcontractors thereof. RESTRICTION: The transportation of railroad train crews and their baggage is not authorized.* Order Denying Application, Entered August 3, 2004.

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the residents of the state of Nebraska. That expectation is difficult to fulfill when a carrier does not follow the Commission's rules and regulations nor displays the necessary level of fitness required by its authority.

Concerns relating to Bus at the Yard d/b/a Luxury Limousine's overall fitness

Upon consideration of the above-mentioned carrier fitness expectations to the record, the Commission has concerns regarding Luxury Limousine's operations. The record identifies several items of concern, such as the length of time the carrier was without insurance coverage, its lack of response to Commission outreach, and the carrier being named a Respondent in a concurrent Departmental Complaint.⁴² These issues together lead to the Commission's growing concerns regarding the overall fitness of the carrier.

First, Ms. Marsh's testimony indicates a breakdown of management and a lack of safeguards. Ms. Marsh stated that although she was a fifty percent owner, she was not involved in the management operations of the company. Rather, her co-owner Broderick Nickens oversaw the carrier's compliance with the Commission.⁴³ While the Commission is aware that ownership comes in many forms, the fitness of a carrier is judged in the aggregate. A carrier's fitness may still be questioned regardless of internal delegation of duties. This is more so the case when no safeguards are put in place by the company to ensure compliance related issues do not go unnoticed.⁴⁴

Next, fitness concerns exist due to unresponsiveness to Commission outreach efforts. Ms. Marsh made a point in her testimony to draw attention to how the delegation of duties

⁴² See Docket MCC-3196.02 *Jamie L. Reyes, Director, Motor Transportation Department, Nebraska Public Service Commission, Lincoln, Nebraska COMPLAINANT vs. Alpha Life Improvement Services; Big A Holdings, LLC d/b/a OMALiNK; Big O's Party Bus, LLC; Bus at the Yard d/b/a Luxury Limousine; Careem Transportation, LLC; Daniel's Moving & Storage of Omaha, LLC; Denver Coach, Inc.; First Student d/b/a First Student, Inc.; Ford Storage & Moving Co.; Good Times Limousine, Inc.; Kelly DeSive; King's Moving; Modest Movers, LLC d/b/a Middle West Movers; Nebraska Taxi, LLC; Rapid Shuttle Service; Roadrunner Bus, LLC; Ronald D. Allgood d/b/a Tree City Cab Company; Siouxland Paramedics, Inc.; T and T Party Bus, LLC d/b/a T & T Limousines; and The Wine Bus, LLC, RESPONDENTS, Order to Show Cause and Schedule Hearing (Entered March 10, 2020).*

⁴³ *Hrg Transcr.* at 9:17 - 9:21.

⁴⁴ *Id.* 16:3 - 16:8.

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between herself and Mr. Nickens may have caused, at least to some degree, the carrier's unresponsiveness to the Commission's outreach, stating that Mr. Nickens abandoned his job duties and changed the carrier's address on file with the Commission. It is the carrier's responsibility to ensure the Commission always has the appropriate contact information on file.⁴⁵ Additionally, Luxury Limousines' unresponsive nature continues to persist even after the hearing. Several weeks passed before the Commission received Late-filed Exhibit 6. Moreover, Ms. Marsh requested a meeting with Director Reyes during the hearing in order to discuss compliance issues to be addressed by Luxury Limousine.⁴⁶ As of the date of this Order, Ms. Marsh has yet to contact the Commission or respond to Commission staff outreach regarding such a meeting.

Furthermore, it is the carrier's responsibility to be aware of and follow all relevant Commission rules and regulations. On numerous occasions, Ms. Marsh testified to her unfamiliarity with Commission rules and regulations.⁴⁷ The most apparent example is evidenced by the information contained in Late-filed Exhibit 6. Late-filed Exhibit 6 shows that Luxury Limousine completed thirty-nine (39) separate trips without proper insurance in direct violation of Commission Rule 006.01 from May 16, 2020 to September 19, 2020.⁴⁸ During this time, Ms. Marsh had availed herself to the Commission as the company's manager by her dealings with the Commission during a concurrent Commission docket.⁴⁹ Additionally, as discussed above, the Commission has recently received an additional Form "K" stating that Luxury Limousine's insurance will again be cancelled on December 24, 2020. The Commission questions a carrier's level of fitness when it appears that the carrier is inattentive or unfamiliar with Commission rules and regulations.

Finally, Luxury Limousine has not taken steps to update its business filings with the Commission. Pursuant to Neb. Rev. Stat. § 75-320, no transfer, assignment, or sale of stock or change of stock ownership or any interest therein which will

⁴⁵ 291 NAC Ch. 3 § 007.02.

⁴⁶ *Id.* 23:2 - 23:22.

⁴⁷ See Ft notes 9, 16, 17, 23 and Late-Filed Exhibit 6.

⁴⁸ See Late-Filed Exhibit 6.

⁴⁹ As mentioned above, Bus at the Yard d/b/a Luxury Limousine was named as a respondent in a Departmental Complaint regarding failure to timely remit annual renewal fees for 2020. Hearing on this matter was held on May 5, 2020. Ms. Marsh appeared at the hearing and was had communications throughout that docket regarding Bus at the Yard d/b/a Luxury Limousine's compliance.

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directly or indirectly result in a transfer, assignment, sale or change in control of the corporation holding a certification or permit, will be effective or valid without the approval of the Commission. Commission records currently list Eric Marsh as the owner/President of the Company. At no point in time has the Commission received an application to transfer or change in control of Luxury Limousine from Eric Marsh to either Lauren Marsh, Brodrick Nickens, or both. Until such action is taken, Eric Marsh is still the owner of Bus at the Yard d/b/a Luxury Limousine and ultimately responsible for the authority. A transfer application must be filed as soon as possible.

Although the Commission finds that the show cause proceeding against Bus at the Yard d/b/a Luxury Limousine should be dismissed in part as it relates to the carrier's insurance coverage, the Commission will not close the inquiry into the carrier's fitness to continue its operations. In consideration of the evidence presented, the Commission finds that, moving forward, Luxury Limousine must take affirmative steps to alleviate the Commission's concerns discussed herein. The Commission recognizes the difficulties that come with ownership. However, that does not excuse a carrier from fulfilling its responsibilities. The Commission finds that Luxury Limousine should have the opportunity to rectify the issues discussed herein.

In addition to the insurance filing requirement previously discussed, the Commission finds that Luxury Limousine must complete the following compliance-related tasks in order to regain its good standing with the Commission. First, Luxury Limousine must schedule a meeting with the Commission's Transportation Department to discuss all applicable Commission rules and regulations and compliance deadlines. Second, all vehicles that are in operation are to be inspected by Commission Transportation Inspectors. In addition, Luxury Limousine must take the necessary steps to transfer ownership pursuant to Neb. Rev. Stat. § 75-320. Luxury Limousine has 30 days from the entry of this Order to complete these compliance requirements. Failure to complete these steps within 30 days after the entry of this Order will subject Bus at the Yard d/b/a Luxury Limousine to further Commission action, including assessment of administrative fines and/or revocation of its certificate of authority.

Finally, the Commission reminds Bus at the Yard d/b/a Luxury Limousine that payment of its annual renewal fees in

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accordance with Neb. Rev. Stat. § 75-305 are due and payable on or before January 1, 2021. Failure to timely remit annual renewal payments may result in further Commission action.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the show cause against Bus at the Yard d/b/a Luxury Limousine, Lincoln, in Application B-1909 be, and is hereby, dismissed in part.

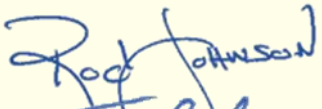
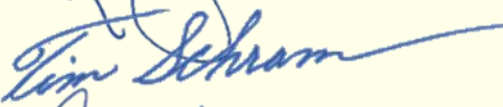

IT IS FURTHER ORDERED that Bus at the Yard d/b/a Luxury Limousine complete the compliance items outlined herein within thirty (30) days of the entry of this Order or be subjected to further Commission action, including assessment of administrative fines and/or revocation of its certificate of authority.

IT IS FINALLY ORDERED that Bus at the Yard d/b/a Luxury Limousine ensure a new Form "E" Uniform Certificate of Insurance is filed with the Commission prior to the cancellation of its current insurance policy on December 24, 2020.

ENTERED AND MADE EFFECTIVE at Lincoln, Nebraska, this 8th day of December, 2020.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:


Chair

ATTEST:


Executive Director